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DIRECTOR'S OFFICE
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In re Application of: :
Cowan et al. :
Application No. 08/821,890 :
Filed: March 21, 1997 :
For: TELEVISION DISTRIBUTIOIN SYSTEM :
FOR SIGNAL SUBSTITUTION :
: DECISION ON PETITION
: TO MAKE SPECIAL

This is a response to the Communication and Request for Examination filed January 21, 2003.

The decision to withdraw the holding of abandonment was granted and mailed September 26, 2000. However, the application has not been examined since the decision. Since the application has been pending for over five years, it will now be treated as special.

For a case to be made special under MPEP § 708.01, (I), the application must be pending for more than five years, including those, which, by relation to a prior United States application, have an effective pendency of more than five years. See MPEP § 707.02.

According to Office records, the instant case 08/821,890 has been pending for well over five years. Since the case is special in accordance with MPEP 708.01(I), no petition is necessary.

The application will retain its special status throughout its entire prosecution, including any appeal to the Board of Patent Appeals and Interferences, subject only to diligent prosecution by the applicant.

The application will be forwarded to the Examiner for expedited examination.

Kenneth F. Wieder

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